

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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DEMOCRATIC NATIONAL COMMITTEE,

Case No. 01:18-CV-3501-JGK-SDA

Plaintiff,

v.

NOTICE OF MOTION

RICHARD W. GATES, III,

Defendant.

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PLEASE TAKE NOTICE that Richard W. Gates, III, will move this Court in Courtroom 14A of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007 on a date and at a time to be set by the Court, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing the Second Amended Complaint herein for failure to state a claim against Mr. Gates.

PLEASE TAKE FURTHER NOTICE that Mr. Gates joins in, relies upon and incorporates herein by reference, each and every argument, insofar as it applies to him, made by each and every other defendant named in the Second Amended Complaint.

Dated: New York, New York
March 4, 2019

FOX HORAN & CAMERINI LLP

By: /s/ William M. Brodsky
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